



## INTERIOR BOARD OF INDIAN APPEALS

Estate of Mary May LaRose Murray

18 IBIA 49 (11/06/1989)



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

ESTATE OF MARY MAY LAROSE  
MURRAY

: Order Dismissing Appeal  
:  
: Docket No. IBIA 90-12  
:  
: November 6, 1989

On October 27, 1989, the Board of Indian Appeals received a notice of appeal from Constance E. Eaton Beck, apparently seeking review of a decision entered in this estate by Administrative Law Judge Patricia McDonald. No copy of the decision appealed from was included with the notice of appeal. The Board requested Judge McDonald to furnish it with a copy of her decision. The decision was received on November 2, 1989.

Judge McDonald issued an order dismissing appellant's petition for reopening on July 21, 1989, and advised appellant that an appeal from her order must be filed within 60 days of the date of the order.

Appellant's notice of appeal from the Judge's order was mailed on October 26, 1989, considerably more than 60 days from the date of the order. Under 43 CFR 4.320, the Board is required to dismiss an appeal which is not timely filed.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the order entered in this estate on July 21, 1989, by Administrative Law Judge Patricia McDonald is dismissed for lack of jurisdiction.

\_\_\_\_\_  
//original signed

Anita Vogt  
Administrative Judge

\_\_\_\_\_  
//original signed

Kathryn A. Lynn  
Chief Administrative Judge